

(12) Maintenance, use, and publication of records by the department. (a) The
department shall maintain a computerized record listing the names and the
information specified in sub. (2m) (b) of all individuals who have been issued a license
under this section and all individuals issued a certification card under s. 175.49 (3)
Subject to par. (b) 1. b., neither the department nor any employee of the department
may store, maintain, format, sort, or access the information in any way other than
by the names, dates of birth, or sex of licensees or individuals or by the identification
numbers assigned to licensees under sub. (2m) (b) 6.

- (b) 1. A law enforcement officer may not request or be provided information under par. (a) concerning a specific individual except for one of the following purposes:
- a. To confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid.
- b. If an individual is carrying a concealed weapon and claims to hold a valid license issued under this section or a valid certification card issued under s. 175.49
 (3) but does not have his or her license document or certification card, to confirm that the individual holds a valid license or certification card.
- c. To investigate whether an individual submitted an intentionally false statement under sub. (7) (b) or (15) (b) 2.
 - d. To investigate whether an individual complied with sub. (14) (b) 3.
- 2. A person who is a law enforcement officer in a state other than Wisconsin may request and be provided information under subd. 1. a. and b.
- (c) Notwithstanding s. 19.35, the department of justice, the department of transportation, or any employee of either department may not make information obtained under this section available to the public except in the context of a

- prosecution for an offense in which the person's status as a licensee or holder of a certification card is relevant or through a report created under sub. (19).
- (12g) Providing Licensee information to Law enforcement agencies. (a) The department shall provide information concerning a specific individual on the list maintained under sub. (12) (a) to a law enforcement agency, but only if the law enforcement agency is requesting the information for any of the following purposes:
- 1. To confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid.
- 2. If an individual is carrying a concealed weapon and claims to hold a valid license issued under this section or a valid certification card issued under s. 175.49 (3) but does not have his or her license document or certification card, to confirm that an individual holds a valid license or certification card.
- 3. If the law enforcement agency is a Wisconsin law enforcement agency, to investigate whether an individual submitted an intentionally false statement under sub. (7) (b) or (15) (b) 2.
- (b) 1. Notwithstanding s. 19.35, neither a law enforcement agency nor any of its employees may make information regarding an individual that was obtained from the department under this subsection available to the public except in the context of a prosecution for an offense in which the person's status as a licensee or holder of a certification card is relevant.
- 2. Neither a law enforcement agency nor any of its employees may store or maintain information regarding an individual that was obtained from the department under this subsection based on the individual's status as a licensee or holder of a certificate card.

- 3. Neither a law enforcement agency nor any of its employees may sort or access information regarding vehicle stops, investigations, civil or criminal offenses, or other activities involving the agency based on the status as licensees or holders of certification cards of any individuals involved.
 (13) LOST OR DESTROYED LICENSE. If a license document is lost, a licensee no
- (13) Lost or destroyed license. If a license document is lost, a licensee no longer has possession of his or her license, or a license document is destroyed, unreadable, or unusable, a licensee may submit to the department a statement requesting a replacement license document, the license document or any portions of the license document if available, and a \$12 replacement fee. The department shall issue a replacement license document to the licensee within 14 days of receiving the statement and fee. If the licensee does not submit the original license document to the department, the department shall terminate the unique approval number of the original request and issue a new unique approval number for the replacement request.
- (14) LICENSE REVOCATION AND SUSPENSION. (a) The department shall revoke a license issued under this section if the department determines that sub. (3) (b), (c), (d), (e), (f), or (g) applies to the licensee.
- (am) The department shall suspend a license issued under this section if a court has prohibited the licensee from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1) (c). If the individual whose license was suspended is no longer subject to the prohibition under s. 969.02 (3) (c) or 969.03 (1) (c), whichever is applicable, sub. (3) (b), (c), (d), (e), (f), or (g) does not apply to the individual, and the suspended license would not have expired under sub. (15) (a) had it not been suspended, the department shall restore the license within 5 business days of notification that the licensee is no longer subject to the prohibition.

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(b) 1. If the department suspends or revokes a license issued under this section, 1 the department shall send by mail the individual whose license has been suspended 2 or revoked notice of the suspension or revocation within one day after the suspension 3 4 or revocation. 2. If the department suspends or revokes a license under this section, the 5 suspension or revocation takes effect when the individual whose license has been 6 suspended or revoked receives the notice under subd. 1. 7 3. Within 7 days after receiving the notice, the individual whose license has 8 9 been suspended or revoked shall do one of the following: Deliver the license document personally or by certified mail to the 10 11 department. b. Mail a signed statement to the department stating that he or she no longer 12 has possession of his or her license document and stating the reasons why he or she 13 14 no longer has possession. (14g) DEPARTMENTAL REVIEW. The department shall promulgate rules providing 15 for the review of any action by the department denying an application for, or 16 suspending or revoking, a license under this section. 17 (14m) APPEALS TO THE CIRCUIT COURT. (a) An individual aggrieved by any action 18 by the department denying an application for, or suspending or revoking, a license 19 20 under this section, may appeal directly to the circuit court of the county in which the individual resides without regard to whether the individual has sought review under 21 22 the process established in sub. (14g).

(b) To begin an appeal under this subsection, the aggrieved individual shall file

a petition for review with the clerk of the applicable circuit court within 30 days of

receiving notice of denial of an application for a license or of suspension or revocation

- of a license. The petition shall state the substance of the department's action from which the individual is appealing and the grounds upon which the individual believes the department's action to be improper. The petition may include a copy of any records or documents that are relevant to the grounds upon which the individual believes the department's action to be improper.
- (c) A copy of the petition shall be served upon the department either personally or by registered or certified mail within 5 days after the individual files his or her petition under par. (b).
- (d) The department shall file an answer within 15 days after being served with the petition under par. (c). The answer shall include a brief statement of the actions taken by the department. The department shall include with the answer when filed a copy of any documents or records on which the department based its action.
- (e) The court shall review the petition, the answer, and any records or documents submitted with the petition or the answer. The review under this paragraph shall be conducted by the court without a jury but the court may schedule a hearing and take testimony.
- (f) The court shall reverse the department's action if the court finds any of the following:
- 1. That the department failed to follow any procedure, or take any action, prescribed under this section.
- 2. That the department erroneously interpreted a provision of law and a correct interpretation compels a different action.
- 3. That the department's action depends on a finding of fact that is not supported by substantial evidence in the record.

1	4. a. If the appeal is regarding a denial, that the denial was based on factors
2	other than the factors under sub. (3).
3	b. If the appeal is regarding a suspension or revocation, that the suspension or
4	revocation was based on criteria other than those under sub. (14) (a) or (am).
5	(g) 1. The court's decision shall provide whatever relief is appropriate
6	regardless of the original form of the petition.
7	2. If the court reverses the department's action, the court may order the
8	department to pay the aggrieved individual all court costs and reasonable attorney
9	fees.
10	(15) License expiration and renewal. (a) Except as provided in par. (e) and
11	sub. (9r) (b), a license issued under this section is valid for a period of 5 years from
12	the date on which the license is issued unless the license is suspended or revoked
13	under sub. (14).
14	(b) The department shall design a notice of expiration form. At least 90 days
15	before the expiration date of a license issued under this section, the department shall
16	mail to the licensee a notice of expiration form and a form for renewing the license.
17	The department shall renew the license if, no later than 90 days after the expiration
18	date of the license, the licensee does all of the following:
19	1. Submits a renewal application on the form provided by the department.
20	2. Submits a statement reporting that the information provided under subd.
21	1. is true and complete to the best of his or her knowledge and that he or she is not
22	disqualified under sub. (3).
23	4. Pays all of the following:

1	a. A renewal fee in an amount, as determined by the department by rule, that
2	is equal to the cost of renewing the license but does not exceed \$12. The department
3	shall determine the costs of renewing a license by using a 5-year planning period.
4	b. A fee for a background check that is equal to the fee charged under s. 175.35
5	(2i).
6	(c) The department shall conduct a background check of a licensee as provided
7	under sub. (9g) before renewing the licensee's license under par. (b).
8	(d) The department shall issue a renewal license by 1st class mail within 21
9	days of receiving a renewal application, statement, and fees under par. (b).
10	(e) The license of a member of the U.S. armed forces, a reserve unit of the armed
11	forces, or the national guard who is deployed overseas while on active duty may not
12	expire until at least 90 days after the end of the licensee's overseas deployment
13	unless the license is suspended or revoked under sub. (14).
14	(15m) EMPLOYER RESTRICTIONS. (a) Except as provided in par. (b), an employer
15	may prohibit a licensee or an out-of-state licensee that it employs from carrying a
16	concealed weapon or a particular type of concealed weapon in the course of the
17	licensee's or out-of-state licensee's employment or during any part of the licensee's
18	or out-of-state licensee's course of employment.
19	(b) An employer may not prohibit a licensee or an out-of-state licensee, as a
20	condition of employment, from carrying a concealed weapon, a particular type of
21	concealed weapon, or ammunition or from storing a weapon, a particular type of
22	weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle,
23	regardless of whether the motor vehicle is used in the course of employment or

whether the motor vehicle is driven or parked on property used by the employer.

1	(16) PROHIBITED ACTIVITY. (a) Except as provided in par. (b), neither a licensee
2	nor an out-of-state licensee may knowingly carry a concealed weapon, a weapon that
3	is not concealed, or a firearm that is not a weapon in any of the following places:
4	1. Any portion of a building that is a police station, sheriff's office, state patrol
5	station, or the office of a division of criminal investigation special agent of the
6	department.
7	2. Any portion of a building that is a prison, jail, house of correction, or secured
8	correctional facility.
9	3. The facility established under s. 46.055.
10	4. The center established under s. 46.056.
11	5. Any secured unit or secured portion of a mental health institute under s.
12	51.05, including a facility designated as the Maximum Security Facility at Mendota
13	Mental Health Institute.
14	6. Any portion of a building that is a county, state, or federal courthouse.
15	7. Any portion of a building that is a municipal courtroom if court is in session.
16	8. A place beyond a security checkpoint in an airport.
17	(b) The prohibitions under par. (a) do not apply to any of the following:
18	1. A weapon in a vehicle driven or parked in a parking facility located in a
19	building that is used as, or any portion of which is used as, a location under par. (a).
20	2. A weapon in a courthouse or courtroom if a judge who is a licensee is carrying
21	the weapon or if another licensee or out-of-state licensee, whom a judge has
22	permitted in writing to carry a weapon, is carrying the weapon.
23	3. A weapon in a courthouse or courtroom if a district attorney, or an assistant
24	district attorney, who is a licensee is carrying the weapon.

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than 30 days or both.

(17) PENALTIES. (a) Any person who violates sub. (2g) (b) or (c) may be required 1 2 to forfeit not more than \$25, except that the person shall be exempted from the 3 forfeiture if the person presents, within 48 hours, his or her license document or out-of-state license and photographic identification to the law enforcement agency 4 that employs the requesting law enforcement officer. 5 6 (ac) Except as provided in sub. (11) (b) 2., any person who violates sub. (11) (b) 7 1. may be required to forfeit \$50. (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more 8 9 than \$500 or sentenced to a term of imprisonment of not more than 30 days or both. (ar) Any law enforcement officer who uses excessive force based solely on an 10 11 individual's status as a licensee may be fined not more than \$500 or sentenced to a 12 term of imprisonment of not more than 30 days or both. The application of the 13 criminal penalty under this paragraph does not preclude the application of any other 14 civil or criminal remedy. 15 (b) Any person who violates sub. (16) may be fined not more than \$500 or imprisoned for not more than 30 days or both. 16 17 (c) An instructor of a training course under sub. (4) (a) who intentionally 18 submits false documentation indicating that an individual has met the training 19 requirements under sub. (4) (a) may be prosecuted for a violation of s. 946.32. 20 (e) Any person required under sub. (14) (b) 3. to relinquish or deliver a license 21 document to the department who intentionally violates the requirements of that

subdivision shall be fined not more than \$500 and may be imprisoned for not more

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decision.

1 (18) RECIPROCITY AGREEMENTS. The department may enter into reciprocity agreements with other states as to matters relating to licenses or other authorization 2 3 to carry concealed weapons. (19) STATISTICAL REPORT. By March 1 of each year, the department shall submit 4 a statistical report to the legislature under s. 13.172 (2) and to the governor that 5 indicates the number of licenses applied for, issued, denied, suspended, and revoked 6 7 under this section during the previous calendar year. For the licenses denied, the 8 report shall indicate the reasons for the denials and the part of the application process in which the reasons for denial were discovered. For the licenses suspended 9 or revoked, the report shall indicate the reasons for the suspensions and revocations. 10 11 The department may not include in the report any information that may be used to identify an applicant or a licensee, including, but not limited to, a name, address, 12 13 birth date, or social security number. The department of justice, the department of 14 (21)IMMUNITY. (a) 15 transportation, and the employees of each department; clerks, as defined in sub. (11) (a) 1. a., and their staff; and court automated information systems, as defined under 16 17 sub. (11) (a) 1. b., and their employees are immune from liability arising from any act 18 or omission under this section, if done so in good faith. 19 (b) A person that does not prohibit an individual from carrying a concealed weapon on property that the person owns or occupies is immune from any liability 20 21 arising from its decision. 22 (c) An employer that does not prohibit one or more employees from carrying a

concealed weapon under sub. (15m) is immune from any liability arising from its

1	(d) A person providing a firearms training course in good faith is immune from
2	liability arising from any act or omission related to the course if the course is one
3	described in sub. (4) (a).
4	SECTION 39. 440.26 (3m) of the statutes is renumbered 440.26 (3m) (intro.) and
5	amended to read:
6	440.26 (3m) Rules concerning dangerous weapons. (intro.) The department
7	shall promulgate rules relating to the carrying of dangerous weapons by a person
8	who holds a license or permit issued under this section or who is employed by a
9	person licensed under this section. The rules shall meet the minimum requirements
10	specified in 15 USC 5902 (b)- and shall allow all of the following:
11	Section 40. 440.26 (3m) (a) of the statutes is created to read:
12	440.26 (3m) (a) A person who is employed in this state by a public agency as
13	a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
14	(2) (b) 1. to 3. applies.
15	SECTION 41. 440.26 (3m) (b) of the statutes is created to read:
16	440.26 (3m) (b) A qualified out-of-state law enforcement officer, as defined in
17	s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.
18	Section 42. 440.26 (3m) (c) of the statutes is created to read:
19	440.26 (3m) (c) A former officer, as defined in s. 941.23 (1) (c), to carry a
20	concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.
21	SECTION 43. 440.26 (3m) (d) of the statutes is created to read:
22	440.26 (3m) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
23	licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted
24	under s. 175.60.
25	Section 44. 813.12 (6) (am) 1. of the statutes is amended to read:

813.12 **(6)** (am) 1. If an injunction is issued or extended under sub. (4) or if a tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify the department of justice of the injunction and shall provide the department of justice with information concerning the period during which the injunction is in effect and information necessary to identify the respondent for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

Section 45. 813.122 (9) (am) 1. of the statutes is amended to read:

813.122 **(9)** (am) 1. If an injunction is issued or extended under sub. (5), the clerk of the circuit court shall notify the department of justice of the injunction and shall provide the department of justice with information concerning the period during which the injunction is in effect and information necessary to identify the respondent for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

Section 46. 813.125 (5r) (a) of the statutes is amended to read:

813.125 (**5r**) (a) If an order prohibiting a respondent from possessing a firearm is issued under sub. (4m), the clerk of the circuit court shall notify the department of justice of the existence of the order prohibiting a respondent from possessing a firearm and shall provide the department of justice with information concerning the period during which the order is in effect and information necessary to identify the respondent for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

SECTION 47. 895.527 (5) (a) of the statutes is amended to read:

1	895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
2	promulgated under those sections regulating or prohibiting the discharge of
3	firearms.
4	SECTION 48. 938.396 (2g) (n) of the statutes is amended to read:
5	938.396 (2g) (n) Firearms restriction record search or background check. If a
6	juvenile is adjudged delinquent for an act that would be a felony if committed by an
7	adult, the court clerk shall notify the department of justice of that fact. No other
8	information from the juvenile's court records may be disclosed to the department of
9	justice except by order of the court. The department of justice may disclose any
10	information provided under this subsection only as part of a firearms restrictions
11	record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a)
12	Section 49. 939.22 (10) of the statutes is amended to read:
13	939.22 (10) "Dangerous weapon" means any firearm, whether loaded or
14	unloaded; any device designed as a weapon and capable of producing death or great
15	bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
16	mouth of another person to impede, partially or completely, breathing or circulation
17	of blood; any electric weapon, as defined in s. 941.295 (4) (1c) (a); or any other device
18	or instrumentality which, in the manner it is used or intended to be used, is
19	calculated or likely to produce death or great bodily harm.
20	SECTION 50. 941.23 of the statutes is renumbered 941.23 (2) (intro.) and
21	amended to read:
22	941.23 (2) (intro.) Any person except a peace officer, other than one of the
23	following, who goes armed with carries a concealed and dangerous weapon is guilty
24	of a Class A misdemeanor . Notwithstanding :

1	(a) A peace officer, but notwithstanding s. 939.22, for purposes of this section
2	paragraph, peace officer does not include a commission warden who is not a
3	state-certified commission warden.
4	SECTION 51. 941.23 (1) of the statutes is created to read:
5	941.23 (1) In this section:
6	(ag) "Carry" has the meaning given in s. 175.60 (1) (ag).
7	(ar) "Destructive device" has the meaning given in 18 USC 921 (a) (4).
8	(b) "Firearm silencer" has the meaning given in s. 941.298 (1).
9	(c) "Former officer" means a person who served as a law enforcement officer
10	with a law enforcement agency before separating from law enforcement service.
11	(d) "Law enforcement agency" has the meaning given in s. 175.49 (1) (f).
12	(e) "Law enforcement officer" has the meaning given in s. 175.49 (1) (g).
13	(f) "Machine gun" has the meaning given in s. 941.27 (1).
14	(g) "Qualified out-of-state law enforcement officer" means a law enforcement
15	officer to whom all of the following apply:
16	1. The person is employed by a state or local government agency in another
17	state.
18	2. The agency has authorized the person to carry a firearm.
19	3. The person is not the subject of any disciplinary action by the agency that
20	could result in the suspension or loss of the person's law enforcement authority.
21	4. The person meets all standards established by the agency to qualify the
22	person on a regular basis to use a firearm.
23	5. The person is not prohibited under federal law from possessing a firearm.
24	SECTION 52. 941.23 (2) (b) of the statutes is created to read:

1	941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
2	applies only if all of the following apply:
3	1. The weapon is a firearm but is not a machine gun or a destructive device.
4	2. The officer is not carrying a firearm silencer.
5	3. The officer is not under the influence of an intoxicant.
6	SECTION 53. 941.23 (2) (c) of the statutes is created to read:
7	941.23 (2) (c) A former officer. This paragraph applies only if all of the following
8	apply:
9	1. The former officer has been issued a photographic identification document
10	described in sub. (3) (b) 1. or both of the following:
11	a. A photographic identification document described in sub. (3) (b) 2. (intro.).
12	b. An identification card described in sub. (3) (b) 2. a., if the former officer
13	resides in this state, or a certification described in sub. (3) (b) 2. b., if the former officer
14	resides in another state.
15	2. The weapon is a firearm that is of the type described in a photographic
16	identification document described in subd. 1. (intro.) or a card or certification
17	described in subd. 1. b.
18	3. Within the preceding 12 months, the former officer met the standards of the
19	state in which he or she resides for training and qualification for active law
20	enforcement officers to carry firearms.
21	4. The weapon is not a machine gun or a destructive device.
22	5. The former officer is not carrying a firearm silencer.
23	6. The former officer is not under the influence of an intoxicant.
24	7. The former officer is not prohibited under federal law from possessing a
25	firearm.

SECTION 54. 941.23 (2) (d) of the statutes is created to read:

941.23 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s. 175.60 (1) (g), if the dangerous weapon is a weapon, as defined under s. 175.60 (1) (j). An individual formerly licensed under s. 175.60 whose license has been suspended or revoked under s. 175.60 (14) may not assert his or her refusal to accept a notice of revocation or suspension mailed under s. 175.60 (14) (b) 1. as a defense to prosecution under this subsection, regardless of whether the person has complied with s. 175.60 (11) (b) 1.

SECTION 55. 941.23 (2) (e) of the statutes is created to read:

941.23 (2) (e) An individual who carries a concealed and dangerous weapon, as defined in s. 175.60 (1) (j), in his or her own dwelling or place of business or on land that he or she owns, leases, or legally occupies.

Section 56. 941.23 (3) of the statutes is created to read:

941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while carrying a concealed firearm, also have with him or her an identification card that contains his or her photograph and that was issued by the law enforcement agency by which he or she is employed.

- (b) A former officer shall, while carrying a concealed firearm, also have with him or her one of the following:
- 1. A photographic identification document issued by the law enforcement agency from which the former officer separated that indicates that, within the 12 months preceding the date on which the former officer is carrying the concealed firearm, he or she was tested or otherwise found by that law enforcement agency to meet the standards for qualification in firearms training that that law enforcement

- agency sets for active law enforcement officers to carry a firearm of the same type as the firearm that the former officer is carrying.
 - 2. A photographic identification document issued by the law enforcement agency from which the former officer separated and one of the following:
 - a. A certification card issued under s. 175.49 (2), if the former officer resides in this state.
 - b. A certification issued by the state in which the former officer resides, if the former officer resides in another state, that indicates that, within the 12 months preceding the date on which the former officer is carrying the concealed firearm, he or she has been found by the state in which he or she resides, or by a certified firearms instructor if such an instructor is qualified to conduct a firearms qualification test for active law enforcement officers in that state, to meet the standards for qualification in firearms training for active law enforcement officers to carry a firearm of the type he or she is carrying, that are established by his or her state of residence or, if that state does not establish standards, by any law enforcement agency in his or her state of residence.
 - (c) A person who violates this subsection may be required to forfeit not more than \$25, except that the person shall be exempted from the forfeiture if the person presents, within 48 hours, his or her license document or out–of–state license and photographic identification to the law enforcement agency that employs the requesting law enforcement officer.
 - (d) This subsection does not apply to a licensee, as defined in s. 175.60 (1) (d), or an out–of–state licensee, as defined in s. 175.60 (1) (g).
 - **SECTION 57.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and amended to read:

1	941.235 (2) (intro.) This section does not apply to peace any of the following:
2	(a) Peace officers or armed forces or military personnel who go armed in the line
3	of duty or to any person duly authorized by the chief of police of any city, village or
4	town, the chief of the capitol police, or the sheriff of any county to possess a firearm
5	in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this
6	subsection paragraph, peace officer does not include a commission warden who is not
7	a state-certified commission warden.
8	Section 58. 941.235 (2) (c) of the statutes is created to read:
9	941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
10	s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.
11	Section 59. 941.235 (2) (d) of the statutes is created to read:
12	941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
13	(2) (c) 1. to 7. applies.
14	Section 60. 941.235 (2) (e) of the statutes is created to read:
15	941.235 (2) (e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
16	licensee, as defined in s. 175.60 (1) (g).
17	SECTION 61. 941.237 (3) (cr) of the statutes is created to read:
18	941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in
19	s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.
20	SECTION 62. 941.237 (3) (ct) of the statutes is created to read:
21	941.237 (3) (ct) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
22	(2) (c) 1. to 7. applies.
23	SECTION 63. 941.237 (3) (cx) of the statutes is created to read:

1	941.237 (3) (cx) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
2	licensee, as defined in s. 175.60 (1) (g), if the licensee or out-of-state licensee is not
3	consuming alcohol on the premises.
4	Section 64. 941.237 (4) of the statutes is repealed.
5	Section 65. 941.295 (1) of the statutes is renumbered 941.295 (1m).
6	Section 66. 941.295 (1c) (b) and (c) of the statutes are created to read:
7	941.295 (1c) (b) "Licensee" has the meaning given in s. 175.60 (1) (d).
8	(c) "Out-of-state licensee" has the meaning given in s. 175.60 (1) (g).
9	Section 67. 941.295 (2) (intro.) of the statutes is amended to read:
10	941.295 (2) (intro.) Subsection (1) (1m) does not apply to any of the following
11	SECTION 68. 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)
12	and amended to read:
13	941.295 (2) (d) (intro.) Any manufacturer or seller whose of electric weapons
14	are used in this state solely by persons, unless the manufacturer or seller engages
15	in the conduct described in sub. (1m) with the intent to provide an electric weapon
16	to someone other than one of the following:
17	1. A person specified in pars. (a) to (c), a licensee, or an out-of-state licensee.
18	Section 69. 941.295 (2) (d) 2. of the statutes is created to read:
19	941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
20	or on land that he or she owns, leases, or legally occupies.
21	Section 70. 941.295 (2g) of the statutes is created to read:
22	941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
23	an electric weapon does not apply to any of the following:
24	(a) A licensee or an out-of-state licensee.

1	(b) An individual who goes armed with an electric weapon in his or her own
2	dwelling or place of business or on land that he or she owns, leases, or legally
3	occupies.
4	SECTION 71. 941.295 (2r) of the statutes is created to read:
5	941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon
6	does not apply to any of the following:
7	(a) A licensee or an out-of-state licensee.
8	(b) An individual who is not a licensee or an out-of-state licensee who
9	transports an electric weapon if the electric weapon is enclosed within a carrying
10	case.
11	SECTION 72. 941.295 (4) of the statutes is renumbered 941.295 (1c) (intro.) and
12	amended to read:
13	941.295 (1c) (intro.) In this section , "electric :
14	(a) "Electric weapon" means any device which is designed, redesigned, used or
15	intended to be used, offensively or defensively, to immobilize or incapacitate persons
16	by the use of electric current.
17	Section 73. 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).
18	Section 74. 943.13 (1e) (aL) of the statutes is created to read:
19	943.13 (1e) (aL) "Carry" has the meaning given in s. 175.60 (1) (ag).
20	SECTION 75. 943.13 (1e) (bm) of the statutes is created to read:
21	943.13 (1e) (bm) "Licensee" means a licensee, as defined in s. 175.60 (1) (d), or
22	an out-of-state licensee, as defined in s. 175.60 (1) (g).
23	SECTION 76. 943.13 (1e) (cm) of the statutes is created to read:
24	943.13 (1e) (cm) "Nonresidential building" includes a nursing home as defined
25	in s. 50.01 (3), a community-based residential facility as defined in s. 50.01 (1g), a

1	residential care apartment complex as defined in s. 50.01 (1d), an adult family home
2	as defined in s. 50.01 (1), and a hospice as defined in s. 50.90 (1).
3	SECTION 77. 943.13 (1e) (g) of the statutes is created to read:
4	943.13 (1e) (g) "Out-of-state licensee" has the meaning given in s. 175.60 (1)
5	(g).
6	SECTION 78. 943.13 (1e) (h) of the statutes is created to read:
7	943.13 (1e) (h) "Special event" means an event that is open to the public, is for
8	a duration of not more than 3 weeks, and either has designated entrances to and from
9	the event that are locked when the event is closed or requires an admission.
10	SECTION 79. 943.13 (1m) (b) of the statutes is amended to read:
11	943.13 (1m) (b) Enters or remains on any land of another after having beer
12	notified by the owner or occupant not to enter or remain on the premises. This
13	paragraph does not apply to a licensee or out-of-state licensee if the owner's or
14	occupant's intent is to prevent the licensee or out-of-state licensee from carrying a
15	firearm on the owner's or occupant's land.
16	SECTION 80. 943.13 (1m) (c) of the statutes is created to read:
17	943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence
18	that the actor does not own or occupy after the owner of the residence, if he or she
19	has not leased it to another person, or the occupant of the residence has notified the
20	actor not to enter or remain at the residence while carrying a firearm or with that
21	type of firearm. In this subdivision, "residence," with respect to a single-family
22	residence, includes the residence building and the parcel of land upon which the
23	residence building is located, and "residence," with respect to a residence that is not

a single–family residence, does not include any common area of the building in which

the residence is located or any common areas of the rest of the parcel of land upon which the residence building is located.

Im. While carrying a firearm, enters or remains in a common area in a building, or on the grounds of a building, that is a residence that is not a single–family residence if the actor does not own the residence or does not occupy any part of the residence, if the owner of the residence has notified the actor not to enter or remain in the common area or on the grounds while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of the grounds of the building if that part is used for parking and the firearm is in a vehicle driven or parked in that part.

- 2. While carrying a firearm, enters or remains in any part of a nonresidential building, grounds of a nonresidential building, or land that the actor does not own or occupy after the owner of the building, grounds, or land, if that part of the building, grounds, or land has not been leased to another person, or the occupant of that part of the building, grounds, or land has notified the actor not to enter or remain in that part of the building, grounds, or land while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of a building, grounds, or land occupied by the state or by a local governmental unit, to a privately or publicly owned building on the grounds of a university or college, or to the grounds of or land owned or occupied by a university of college, or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of a building, grounds, or land used as a parking facility.
- 3. While carrying a firearm, enters or remains at a special event if the organizers of the special event have notified the actor not to enter or remain at the special event while carrying a firearm or with that type of firearm. This subdivision

does not apply, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the special event grounds or building used as a parking facility.

- 4. Enters or remains in any part of a building that is owned, occupied, or controlled by the state or any local governmental unit, excluding any building or portion of a building under s. 175.60 (16) (a), if the state or local governmental unit has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This subdivision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.
- 5. Enters or remains in any privately or publicly owned building on the grounds of a university or college, if the university or college has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This subdivision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.
- **SECTION 81.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:
- 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally, either orally or in writing, or if the land is posted. Land is considered to be posted under this subsection paragraph under either of the following procedures:
- 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places for every 40 acres to be protected. The sign must carry provide an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land and by the word

"occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. Proof that appropriate signs as provided in this paragraph subdivision were erected or in existence upon the premises to be protected prior to the event complained of shall be prima facie proof that the premises to be protected were posted as provided in this paragraph subdivision.

Section 82. 943.13 (2) (bm) of the statutes is created to read:

943.13 (2) (bm) 1. In this paragraph, "sign" means a sign that states a restriction imposed under subd. 2. that is at least 5 inches by 7 inches.

2. a. For the purposes of sub. (1m) (c) 1m., an owner of a residence that is not a single–family residence has notified an individual not to enter or remain in a part of that building, or on the grounds of that building, while carrying a firearm or with a particular type of firearm if the owner has posted a sign that is located in a prominent place near all of the entrances to the part of the building to which the restriction applies or near all probable access points to the grounds to which the restriction applies and any individual entering the building or the grounds can be reasonably expected to see the sign.

am. For the purposes of sub. (1m) (c) 2., 4., and 5., an owner or occupant of a part of a nonresidential building, the state or a local governmental unit, or a university or a college has notified an individual not to enter or remain in a part of the building while carrying a firearm or with a particular type of firearm if the owner, occupant, state, local governmental unit, university, or college has posted a sign that is located in a prominent place near all of the entrances to the part of the building to which the restriction applies and any individual entering the building can be reasonably expected to see the sign.

b. For the purposes of sub. (1m) (c) 2., an owner or occupant of the grounds of
a nonresidential building or of land has notified an individual not to enter or remain
on the grounds or land while carrying a firearm or with a particular type of firearm
if the owner or occupant has posted a sign that is located in a prominent place near
all probable access points to the grounds or land to which the restriction applies and
any individual entering the grounds or land can be reasonably expected to see the
sign.
c. For the purposes of sub. (1m) (c) 3., the organizers of the special event have
notified an individual not to enter or remain at the special event while carrying a
firearm or with a particular type of firearm if the organizers have posted a sign that
is located in a prominent place near all of the entrances to the special event and any
individual attending the special event can be reasonably expected to see the sign.
SECTION 83. 943.13 (3) of the statutes is amended to read:
943.13 (3) Whoever erects on the land of another signs which are the same as
or similar to those described in sub. (2) (am) without obtaining the express consent
of the lawful occupant of or holder of legal title to such land is subject to a Class C
forfeiture.
Section 84. 946.71 of the statutes is created to read:
946.71 Unlawful use of license for carrying concealed weapons. (1) In
this section, "license" means a license issued under s. 175.60 (2) or (9r).
(2) Whoever does any of the following is guilty of a Class A misdemeanor:
(a) Intentionally represents as valid any revoked, suspended, fictitious, or
fraudulently altered license.

(b) If the actor holds a license, intentionally sells or lends the license to any

other individual or knowingly permits another individual to use the license.

1	(c) Intentionally represents as one's own any license not issued to him or her.
2	(d) If the actor holds a license, intentionally permits any unlawful use of that
3	license.
4	(e) Intentionally reproduces by any means a copy of a license for a purpose that
5	is prohibited under this subsection.
6	(f) Intentionally defaces or intentionally alters a license.
7	SECTION 85. 947.01 of the statutes is renumbered 947.01 (1).
8	SECTION 86. 947.01 (2) of the statutes is created to read:
9	947.01 (2) Unless other facts and circumstances that indicate a criminal or
10	malicious intent on the part of the person apply, a person is not in violation of, and
11	may not be charged with a violation of, this section for loading, carrying, or going
12	armed with a firearm, without regard to whether the firearm is loaded or is concealed
13	or openly carried.
14	SECTION 87. 947.011 (2) (a) 1. of the statutes is amended to read:
15	947.011 (2) (a) 1. Engage in conduct that is prohibited under s. 947.01 $\underline{(1)}$ within
16	500 feet of any entrance to a facility being used for the service with the intent to
17	disrupt the service.
18	SECTION 88. 947.011 (2) (c) 1. of the statutes is amended to read:
19	947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
20	500 feet of any entrance to a facility being used for the service.
21	Section 89. 947.011 (2) (d) of the statutes is amended to read:
22	947.011 (2) (d) No person may impede vehicles that are part of a funeral
23	procession if the person's conduct violates s. 947.01 (1).
24	Section 90. 948.60 (1) of the statutes is amended to read:

948.60 (1) In this section, "dangerous weapon" means any firearm, loaded or unloaded; any electric weapon, as defined in s. 941.295 (4) (1c) (a); metallic knuckles or knuckles of any substance which could be put to the same use with the same or similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather; a cestus or similar material weighted with metal or other substance and worn on the hand; a shuriken or any similar pointed star–like object intended to injure a person when thrown; or a manrikigusari or similar length of chain having weighted ends.

Section 91. 948.605 (2) (a) of the statutes is amended to read:

948.605 (2) (a) Any individual who knowingly possesses a firearm at a place

948.605 (2) (a) Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is <u>a school zone in or on the grounds of a school</u> is guilty of a Class I felony. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

SECTION 92. 948.605 (2) (b) (intro.) of the statutes is amended to read:

948.605 **(2)** (b) (intro.) Paragraph (a) does not apply to the possession of a firearm by any of the following:

SECTION 93. 948.605 (2) (b) 1., 2., 4., 5. and 7. of the statutes are repealed.

SECTION 94. 948.605 (2) (b) 1m. and 1r. of the statutes are created to read:

948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).

1r. Except if the person is in or on the grounds of a school, a licensee, as defined in s. 175.60 (1) (d), or an out–of–state licensee, as defined in s. 175.60 (1) (g).

1	SECTION 95. 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.
2	and amended to read:
3	948.605 (2) (b) 2m. By a law enforcement officer or \underline{A} state-certified
4	commission warden acting in his or her official capacity; or.
5	Section 96. 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.
6	and amended to read:
7	948.605 (2) (b) 3m. By a \underline{A} person who is legally hunting in a school forest if
8	the school board has decided that hunting may be allowed in the school forest under
9	s. 120.13 (38).
10	Section 97. 968.255 (1) (a) 2. of the statutes is amended to read:
11	968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
12	941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.
13	SECTION 98. 971.37 (1m) (a) 2. of the statutes is amended to read:
14	971.37 (1m) (a) 2. An adult accused of or charged with a criminal violation of
15	s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,
16	940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,
17	$947.01 \ \underline{(1)}$, 947.012 or 947.0125 and the conduct constituting the violation involved
18	an act by the adult person against his or her spouse or former spouse, against an
19	adult with whom the adult person resides or formerly resided or against an adult
20	with whom the adult person has created a child.
21	Section 99. 973.055 (1) (a) 1. of the statutes is amended to read:
22	973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
23	in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
24	940.225,940.23,940.235,940.285,940.30,940.305,940.31,940.42,940.43,940.44,
25	040 45 040 48 041 20 041 30 043 01 943 011 943 14 943 15 946 49 947 01 (1)

947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and Section 100. Nonstatutory provisions.

- (1) Using the procedure under section 227.24 of the statutes, the department of justice shall promulgate rules required under section 165.25 (12) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under those sections, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of an emergency for a rule promulgated under this subsection.
- (2) Notwithstanding section 175.60 (9) (b) of the statutes, as created by this act, beginning on the effective date of this subsection and ending on the first day of the 5th month beginning after the effective date of this subsection, the department of justice shall, as soon as practicable and without delay, but no longer than 45 days, after receiving a complete application under section 175.60 (7) of the statutes, as created by this act, for a license to carry a concealed weapon, do one of the following:
- (a) Issue the license and promptly send the licensee his or her license document by 1st class mail.
- (b) Deny the application, but only if section 175.60 (3) (a), (b), (c), (d), (e), (f), or (g) of the statutes, as created by this act, applies to the applicant. If the department denies the application, the department shall inform the applicant in writing, stating the reason and factual basis for the denial.

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Section 101. Effective dates. This act takes effect on the first day of the 4th month beginning after publication, except as follows:

(1) The treatment of sections 66.0409 (6), 165.25 (12), 175.49 (4), 175.60 (2m) and (5), and 947.01 (2) of the statutes and Section 100 (1) and (2) of this act take effect on the day after publication.

(END)

(NS. 5A1-4)



State of Misconsin 2011 - 2012 LEGISLATURE



SENATE AMENDMENT 1, TO SENATE SUBSTITUTE AMENDMENT 2, TO 2011 SENATE BILL 93

June 13, 2011 - Offered by Joint Committee on Finance.

SA/-/ 1 At the locations indicated, amend the substitute amendment as follows: 1. Page 2, line 15: before "All" insert "The amounts in the schedule to provide 2 services under s. 175.60.". 3 2. Page 2, line 17: delete "to provide services under s. 175.60" and substitute 4 5A1-2 5 shall be credited to this appropriation". 6 **3.** Page 59, line 24: after that line insert: 7 SECTION 100h. Fiscal changes. 8 In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (gs) of the 9 10 statutes, as affected by the acts of 2011, the dollar amount is increased by \$62,300 11 for the first fiscal year of the fiscal biennium in which this subsection takes effect to 12 increase the authorized FTE positions by 1.0 PR position. In the schedule under

section 20.005 (3) of the statutes for the appropriation to the department of justice
under section 20.455 (2) (gs) of the statutes, as affected by the acts of 2011, the dollar
amount is increased by \$62,300 for the second fiscal year of the fiscal biennium in
which this subsection takes effect to increase the authorized FTE positions by 1.0 PR
position.

(2m) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (gs) of the statutes, as affected by the acts of 2011, the dollar amount is increased by \$174,400 for the first fiscal year of the fiscal biennium in which this subsection takes effect to fund 10.0 LTE positions for 6 months.

(3m) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (gs) of the statutes, as affected by the acts of 2011, the dollar amount is increased by \$77,100 for the first fiscal year of the fiscal biennium in which this subsection takes effect for the purpose of providing supplies and services.".

4. Page 60, line 5: after that line insert:

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of this act take effect on July 1, 2011.".



State of Misconsin 2011 - 2012 LEGISLATURE



SENATE AMENDMENT 4, TO SENATE SUBSTITUTE AMENDMENT 2, TO 2011 SENATE BILL 93

June 14, 2011 - Offered by Senators Wanggaard, Schultz and S. Fitzgerald.

1	At the locations indicated, amend the substitute amendment as follows:	
2	1. Page 24, line 17: delete the material beginning with "participated"	and
3	ending with "competitions or" on line 18.	
1	(EMD)	